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OIPE JC54
JAN 28 2005
PATENT & TRADEMARK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U. S. Patent Application of:	Huang, et. al	)
Serial No.:	09/826,670	)
Filed:	04/05/2001	)
Art Unit:	2626	)
Examiner:	Grant II, Jerome	)
Attorney Docket No.:	2001- 0003.00	)
For:	METHOD FOR MIXING INKS	)
	FOR HIGH FIDELITY COLOR	)
	PRINTING	)

Mail Stop Amendment
Commissioner for Patents
Box 1450
Alexandria, Va. 22313-1450

January 28, 2005

RESPONSE

Sir:

This is submitted in response to the Official Action dated November 8, 2004 (hereinafter "Official Action"). Reconsideration of the present application is respectfully requested in light of the following arguments and remarks.

Claims 1-36 are presented in the present application. By the Official Action, Claims 1-36 stand rejected.

More specifically, Claim 1-36 stand rejected under 35 U.S.C. §112, second paragraph, as being assertedly indefinite. The Official Action also indicates that Claims 1-36 would be allowable if rewritten or amended to overcome the 112 rejection.

In the Official Action, it is stated that the fourth limitation of Claim 1, the fifth limitation of Claim 13, and the fifth limitation of Claim 25, all refer to computing a third color space by

comparing the second color space to the first color space to "determine which color points in the first color space require black ink." It is asserted that this language is confusing for the reason that the first limitation of the claim that the first color space had no black ink values [sic]. The question is then posed "so how could one have black ink values from a color space that was averred not to have them?" (Official Action, p. 2, ¶1).

The applicant respectfully traverses this rejection and submits to the contrary that the claim language identified in the Official Action is not indefinite. Further, the claims require no amendment, since the claim, as stated, distinctly points out the subject matter which the applicants regard as their invention.

To answer the question, i.e. "so how could one have black ink values from a color space that was averred not to have them" directly, one could not have black ink values from a color space that was averred not to have them. However, the question is based on the faulty supposition that the first color space is the source of the black ink values, when in fact, it is not. The second color space is the source of the black ink values.

The claimed invention describes a process or an apparatus utilizing a process that begins by computing a first color space using a forward printer model and a first colorant space and concludes with the production of a color reproduction table. In between, four color spaces and three colorant spaces are created and manipulated to achieve the final color reproduction table.

It should be noted that the term "values" and "points" are used somewhat interchangeably in the specification. The term "point" refers to a point in the color or colorant space composed of coordinates that define the point, while the term "value" refers to the amount of black ink or color of any given color point or colorant point. Therefore, a color point or colorant point is defined by its values. For an n-ink colorant space, the colorant point will have "n" discrete

values that uniquely locate the colorant point in the colorant space. A similar statement holds true for a color space (p. 14, ll. 5-10). Unless otherwise stated herein, citations to page numbers refer to the specification of the instant application.

The first limitation of Claim 1 indicates that a first color space is created using a forward printer model and a first colorant space with the first color space having no black ink values from the first colorant space. In accordance with the foregoing, the "n"-values for black ink in the first color space are zero.

The second limitation of Claim 1 states that a second color space is computed using the forward printer model and CMYK ink values. As stated in the specification and as is convention in this art, the "K" designation in the CMYK ink represents black. The second color space is linked to CMYK inks only. When computing the second color space, all other inks are set to zero for each colorant point. The second color space is used later in the process (in the fourth claim limitation) for determining which color points in the first color space should be induced with black ink and how much black ink should be used for each of the color points (p. 14, ll. 18-21).

The fourth limitation of Claim 1 requires computing a third color space by comparing the second color space to the first color space to determine which color points in the first color space require black ink. The first color space has no black ink values from the first colorant space, and in order to arrive at the ultimate color reproduction table, the black ink values to be introduced to the first color space must be determined at some point, and that point is defined in the claims as the computation of the third color space.

It can be seen from the claim language and as supported in the specification the source for the black ink values that are applied to the first color space to compute the third color space is

the second color space which is created using the forward printer model and all CMYK ink values. Indeed, the first color space, as defined has no black ink values. Once the black ink values required of the first color space are determined, the third color space is created, and the first color space is of no more use in the process. Accordingly, the assertion in the Official Action that black ink values are derived from the first color space which is averred to have no black ink values is incorrect.

Therefore, based on the above, it is apparent that the rejection of Claims 1-36 under 35 U.S.C. §112, second paragraph, is in error and should be reversed. Accordingly, the applicants respectfully request that the outstanding rejection of Claims 1-36 be withdrawn and that the present application be allowed and passed to issue.

Respectfully submitted,

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TRANSMITTAL FORM

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Total Number of Pages in This Submission	5

Application Number	09/826,670
Filing Date	04/05/2001
First Named Inventor	Huang
Art Unit	2626
Examiner Name	Grant II, Jerome
Attorney Docket Number	004155-109091

ENCLOSURES *(Check all that apply)*

- ☐ Fee Transmittal Form
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- ☑ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
  - ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Stoll, Keenon & Park, LLP		
Signature			
Printed name	Mark A. Taylor		
Date	January 28, 2005	Reg. No.	35706

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